

# **EXHIBIT A**

May 12, 2020

BlueWorks Corporation d/b/a blueworkspool.com  
c/o Haoqi Sun  
12245 Nations Ford Road, Suite 501,  
Pineville, NC 28134

BlueWorks Corporation d/b/a blueworkspool.com  
c/o Haoqi Sun  
303 Albemarle Street,  
Lexington, NC 27292

**Re: False Advertising, False Designation of Origin, False  
Association and Trademark Infringement**

Dear Haogi Sun,

My firm and I represent Hayward Industries, Inc. ("Hayward"), in connection with its intellectual property and litigation matters. Hayward is the leading manufacturer of equipment for commercial and residential swimming pools worldwide. As detailed below, Hayward has recently discovered that BlueWorks Corporation ("BlueWorks") is falsely advertising and selling a number of products on Amazon.com and on its own website, [www.blueworkspool.com](http://www.blueworkspool.com), that violate Hayward's trademark rights and that unfairly cause confusion in the marketplace. Thus, Hayward demands that BlueWorks immediately stop these violations or else risk further legal action.

\* \* \*

Hayward owns a family of HAYWARD-formative marks, including the federally-registered HAYWARD® mark, Reg. No. 3,969,301, claiming use in commerce since 1956 in connection with a variety of pool-related products, including, for example, salt chlorination systems, and since 1996, in connection with numerous other products, including, for example, "electronic control systems comprised of a electrolytic chlorine generator and multi-purpose controller for controlling the operation, sanitization, and maintenance of swimming pools." This trademark was registered on May 31, 2011, and, through years of continuous and uncontested use, has become

incontestable under 15 U.S.C. § 1065. In addition to this registration and numerous other HAYWARD-formative marks, Hayward owns common law rights, federal registrations, and/or pending applications for federal registrations of the following marks relevant to this matter:

- AQUA RITE<sup>®</sup>, Reg. No. 3,704,835, claiming use in commerce since at least as early as 1997 in connection with electrolytic chlorine generators.
- GOLDLINE<sup>®</sup>, Reg. No. 5,726,797, claiming use in commerce since 2000 in connection with “salt and chlorine generators for use in swimming pools, spas, hot tubs, whirlpools, and other recreational bodies of water.” The mark was registered on April 16, 2019.
- TURBO CELL<sup>®</sup>, Reg. No. 3,156,434, claiming use in commerce since 1999 in connection with “electrolytic chlorine generators for use with swimming pools and spas.” The mark was registered on October 17, 2006.
- SWIMPURE<sup>®</sup>, Reg No. 5,932,470, claiming use in commerce since 2006 in connection with electronic chlorine generators and parts and fittings therefor that produce chlorine from salt for use in swimming pools and other recreational bodies of water. The mark was registered on December 10, 2019.
- T-CELL-3<sup>™</sup> Serial No. 88,705,817, claiming use in commerce since 2009 in connection with electrolytic chlorine generators for swimming pools and spas. The application for this mark was recently allowed, and the registration will issue soon.
- T-CELL-9<sup>™</sup> Serial No. 88,705,864, claiming use in commerce since 2009 in connection with electrolytic chlorine generators for swimming pools and spas. The application for this mark was recently allowed, and the registration will issue soon.
- T-CELL-15<sup>™</sup> Serial No. 88,705,891, claiming use in commerce since 2009 in connection with electrolytic chlorine generators for swimming pools and spas. The application for

this mark was recently allowed, and the registration will issue soon.

- BLUE ESSENCE™, used in connection with salt chlorine generators and other pool-related equipment.

For purposes of this letter, the HAYWARD-formative marks and the other marks listed above are called the “Hayward Marks.” Copies of the registrations and allowed applications for these marks are included in **Exhibit A.**

\* \* \* \*

### **INFRINGEMENT**

#### **Amazon.com**

It has recently come to our attention that when a consumer searches on Amazon.com for a HAYWARD® salt cell or salt chlorine generator, advertisements for BlueWorks salt cells appear among the top search results. Indeed, BlueWorks is improperly advertising and selling salt cell systems that use without authority the HAYWARD®, GOLDLINE®, AQUA RITE®, TURBO CELL®, SWIMPURE®, and T-CELL™ trademarks. For example, shown below is an excerpt from an Amazon search for “Hayward Aquarite T Cell 15.”

All ▾ Hayward aquarite tcell15

Best Sellers Customer Service New Releases Find a Gift Whole Foods Registry Gift Cards AmazonBasics Sell #FoundItOnAmazon Coupons Free Shipping Shopper Toolkit

rd aquarite tcell15"

g on orders

Hayward W3T-Cell-15 TurboCell Salt Chlorination Cell for In-Ground Swimming Pools  
★★★★☆ ~ 1,479  
\$599<sup>00</sup>  
✓prime Get it Thu, May 14 - Mon, May 18

Hayward GLX-CTL-RITE Control Unit Replacement for Hayward AQR Goldline Aqua Rite Salt Chlorination  
★★★★☆ ~ 15  
\$699<sup>00</sup>  
✓prime Get it as soon as Wed, May 13  
FREE Shipping by Amazon

Hayward GLX-CELL-15-W TurboCell Salt Chlorination Cell for In-Ground Pools up to 40,000 Gallons  
★★★★☆ ~ 356  
\$708<sup>40</sup>  
FREE Shipping

Hayward TCELL9 Goldline Aqua Rite 25K Gallon Turbo Cell with 15' Cable

BLUE WORKS T-15-Cell Compatible with Hayward Goldline AquaRite Systems Up to 40,000 Gallon  
★★★★☆ ~ 238  
\$349<sup>00</sup>  
✓prime Get it as soon as Wed, May 13  
FREE Shipping by Amazon

[https://www.amazon.com/s?k=Hayward+aquarite+tccl15&ref=nb\\_sb\\_noss](https://www.amazon.com/s?k=Hayward+aquarite+tccl15&ref=nb_sb_noss)  
(accessed May 7, 2020).

Clicking on the Blue Works salt cell in the search results brings up the following advertisement and product description. As seen below, the ad uses a mark, “T-15-Cell,” that is intentionally and confusingly similar to Hayward’s T-Cell-15™ mark. The ad also uses without authority other Hayward Marks.

amazon  
Hello, Sign in  
Account & Lists

Search: Hayward aquarite tccl15

Amazon Home Shop by Room Discover Shop by Style Home Décor Furniture Kitchen & Dining Bed & B

Patio, Lawn & Garden › Pools, Hot Tubs & Supplies › Parts & Accessories › Pool & Spa Replacement Parts

**BLUE WORKS T-15-Cell**  
Compatible with  
Hayward Goldline  
AquaRite Systems Up to  
40,000 Gallon  
by BLUE WORKS  
★★★★☆ 237 ratings  
153 answered questions  
Amazon's Choice for "salt cell for po..."

Price: **\$349.00** & **FREE Shipping**.  
Details & FREE Returns

Get \$10 off instantly: Pay **\$349.00**  
\$339.00 upon approval for the Amazon  
Store Card. No annual fee.

Color: **White**

- Compatible with HaywardGoldline,AquaRite, AquaLogic, ProLogic,SwimPure, Mineral Springs
- Our cell requires software revision levels of r1.50-the current version in order to work with Aqua Rite and 4.2 or newer for Aqua Logic systems. These revisions started in 2009 (Press the diagnostic button 7 times to see your software version)
- Same size threads as OEM
- 2 Full years warranty
- Cell Plates made by the USA

[https://www.amazon.com/BlueWorks%C2%AE-T-Cell-9-compatible-replacement-Hayward%C2%AE/dp/B06XT9T8TT/ref=sr\\_1\\_1?dchild=1&keywords=Blue+Works+t-cell-9&qid=1588895384&sr=8-1](https://www.amazon.com/BlueWorks%C2%AE-T-Cell-9-compatible-replacement-Hayward%C2%AE/dp/B06XT9T8TT/ref=sr_1_1?dchild=1&keywords=Blue+Works+t-cell-9&qid=1588895384&sr=8-1) (accessed May 7, 2020).

Because BlueWorks' salt cells appear prominently in the search for Hayward salt cells, consumers are more likely to confuse them for genuine Hayward salt cells or, at least, products that are somehow authorized or sponsored by, or affiliated with, Hayward. That false association is particularly likely given that BlueWorks deceptively and confusingly advertises the salt cells as "compatible" with, for example, "Hayward Goldline AquaRite Systems," as seen above, or, as seen below, with various other Hayward brands, like "SwimPure."



Through these ads and product descriptions, BlueWorks is falsely or misleadingly suggesting to consumers that the product is a genuine Hayward product or, because the product is supposedly "compatible with" the Hayward systems, is somehow authorized or sponsored by Hayward. As more fully detailed below, consumers will thus mistakenly believe that BlueWorks salt cells originate from, are affiliated with, and/or are sponsored, authorized or approved by Hayward. This will cause confusion in the marketplace.

As seen in the examples aboe, these advertisements also include a statement that these supposed Hayward products include a “2 Full years warranty,” which adds to the confusion. Consumers might purchase this product thinking it is a Hayward product and then seek to have Hayward honor the warranty on the salt cells even though they are not authorized Hayward products. In that case, Hayward would be made to suffer from unwarranted consumer dissatisfaction, thus tarnishing its brand. As a result, BlueWorks’ actions are causing irreparable and ongoing harm to Hayward. BlueWorks’ continued use of the Hayward marks with knowledge of Hayward’s trademark rights constitutes willful infringement and may subject you to additional liability, including reimbursement of Hayward’s attorneys’ fees.

Further, as seen in the examples below, the product descriptions in these advertisements also include a number of trademark violations and false or misleading statements. For example, BlueWorks falsely advertises that BlueWorks is a “direct replacement for Haywards T-Cell-15.” That statement is false. This ad suggests, deceptively and confusingly, that the salt chlorinators are genuine Hayward products, or products approved by Hayward, that may be generic to, or compatible with Hayward’s salt chlorination systems (that is, made with Hayward’s approval).

To further emphasize this false association, the ads use, without Hayward’s permission, images of Hayward’s AQUA RITE® salt chlorine generation system and a Hayward TURBO CELL® T-CELL-15™ salt cell. BlueWorks even calls its own salt cell a “T-15” which is deceptively and confusingly similar to Hayward’s T-CELL-15™ salt cell.

These uses of the Hayward Marks and images of Hayward products suggest, misleadingly or falsely, that Hayward has approved of the BlueWorks’ salt cells. That is not the case.



The BlueWorks replacement cell is a direct replacement for Hayward's T-Cell-15 with no pipe line modification required. This cell is designed to work with pools up to 40,000 gallons. With the cell's 15ft cable and plug and play installation hooking up the new salt cell is a breeze!

- Work as a compatible replacement for Hayward Goldline, AquaRite, AquaLogic, ProLogic, SwimPure, Mineral Springs.
- Chlorine output: 2.1 lb/day.
- Cell Plates made by USA company.
- Cell-self cleaning.
- Ideal salt level is between 2500ppm and 4500 ppm.
- Our cell requires software revision levels of r1.50-4.2 the current version in order to work with Aqua Rite and 4.2 for Aqua Logic systems. These revisions started in 2009.
- Press the diagnostic button 7 times to see your software version.

**With a variable speed pump it is recommended the chamber of the salt cell be underneath rather than on top. If you are replacing a smaller salt cell please make sure that you are able to change the cell size of the system as well.**

**Reliable Performance**  
The BlueWorks T-15 cell has been tested and proven to perform great even under harsh conditions. 2.1lb/day's chlorine output and the self-cleaning feature.

**Universal Compatibility**  
Compatible with Hayward Goldline Systems AquaRite, AquaLogic, ProLogic, SwimPure and Mineral Springs systems. It requires software r1.5-4.2 for Aqua Logic systems. These revisions started in 2009.

**Easy Installation**  
The installation requires no changes to your current setup or plumbing. Simply remove the old cell and install this one!

[https://www.amazon.com/BlueWorks%C2%AE-T-Cell-9-compatible-replacement-Hayward%C2%AE/dp/B06XT9T8TT/ref=sr\\_1\\_1?dchild=1&keywords=Blue+Works+t-cell-9&qid=1588895384&sr=8-1](https://www.amazon.com/BlueWorks%C2%AE-T-Cell-9-compatible-replacement-Hayward%C2%AE/dp/B06XT9T8TT/ref=sr_1_1?dchild=1&keywords=Blue+Works+t-cell-9&qid=1588895384&sr=8-1) (accessed May 7, 2020).

There is no other reason to use the Hayward name and Hayward Marks other than to capitalize on Hayward's good will. Use of the Hayward Marks causes confusion, and thus sales of the BlueWorks' salt cells could be enjoined by a federal court. See, e.g., *Samick Music Corp. v. Garrett Gordon*, SACV20-395-GW-JDEX (C.D. Cal., March 2, 2020) (granting temporary restraining order and finding that defendants incorporated plaintiff's marks into their marketing materials in which several customers


made purchases from defendants believing they were purchasing products from plaintiff, which caused a likelihood of confusion).

BlueWorks' unfair use of the Hayward Marks and marks confusingly similar to the Hayward Marks constitutes trademark infringement, false designation of origin, false association, counterfeiting, false advertising, unfair competition, and other violations of the Lanham Act, 15 U.S.C. §1051 et seq., as well as related violations of state and common law. See *Anton/Bauer, Inc., v. Energex Sys. Corp.*, 839 F. Supp. 243 (S.D.N.Y. 1993) (enjoining defendant from selling replacement products advertised as compatible with or equivalent to the plaintiff's trademarked products and finding that such replacement products "may or may not function as valid generic equivalents to the [plaintiffs] items they are designed to replace").


### Blueworkspool.com

BlueWorks also deceptively and falsely advertises purported Hayward replacement salt cells on its own website, [www.blueworkspool.com](http://www.blueworkspool.com). These salt cells are not replacements for Hayward products, and Hayward has not authorized or sponsored these products. For instance, in the example below, BlueWorks calls its product a "T-Cell-15" and then claims that the product is a "compatible replacement for Hayward® Goldline AquaRite Systems."

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HOME PRODUCTS ABOUT US BLOG CONTACT SUPPORT WARRANTY COMPARE Q

BLT15 BLUE WORKS® T-Cell-15  
compatible replacement for Hayward®  
Goldline AquaRite Systems



#### Description

T-Cells and generic equivalents like this cell require software revision 1.5 for AquaRite or 4.2 for AquaLogic or newer to be compatible. These revisions started in 2009.

Same cell supplier as the original.

For pool size 115 to 150 m³/40,000 gallon/150,000 ltrs

BLT-15 Compatible With T-CELL-15

Manual Download

[CONTACT US TO SEND A QUOTE](#)

[Tweet](#) [Like](#) Sign Up to see what your friends like.

<https://www.blueworkspool.com/hayward-replacement-cells/item/59-blt15>  
(accessed May 7, 2020).

That ad infringes Hayward's rights in a number of ways. First, the product is called a T-Cell-15, which is Hayward's long-used and soon-to-be registered mark. Second, the ad claims that the salt cell is a "compatible replacement Hayward® Goldline AquaRite Systems." That cannot be correct because Hayward's systems include more than just the salt cell, and thus a salt cell alone cannot be suitable replacement of the entire system.

Again, BlueWorks is falsely advertising this product with the Hayward marks deceptively suggesting that its compatible with, or a replacement for, Hayward's products. As explained above, consumers will mistakenly believe that BlueWorks salt cells originate from, are affiliated with, and/or are sponsored, authorized or approved by Hayward, which they are not. BlueWorks is capitalizing on Hayward's good will. Consequently, Hayward will continue to be harmed by BlueWorks' improper conduct.

Finally, upon clicking the link in the above ad for "Manual Download," a consumer is directed to a "User Guide" that contains additional false and misleading statements. For example, as seen below, Blueworks states that its salt cell "meet or exceeds all original specifications" and is "a perfect replacement for Hayward, Goldline, Aqua Right, Swim Pure, . . . Blue Essence" is not only false but falsely and misleadingly suggests to consumers that the products are comparable to or compatible with Hayward. Hayward has not authorized, sponsored, or approved these products and has certainly not authorized the use of the Hayward marks in connection with any BlueWorks products. Such statements, including the comparisons with Hayward products, constitute false advertising.

## ***BLT series Replacement Cell*** **User Guide**

Congratulations on your purchase of a new BLT series Replacement Cell! Cells were designed to meet or exceed original specifications, for optimal performance and reliability. BLBLT series and generic equivalents like this cell require software revision 1.5 for AquaRite or 4.2 for AquaLogic or newer to be compatible. These revisions started in 2009. It is the perfect replacement for Hayward Goldline Aqua Rite, AquaLogic, Pro Logic, SwimPure, Mineral Springs, NatureSoft, AquaPlus, LeverEdge Guardian, Blue Essence, H40 systems and more.

### **Installation & Operation**

- **IMPORTANT:** Always make sure the input power is completely disconnected and all pool equipment is shut off before attempting any service procedures. All service should be performed by a qualified professional.
- Remove the old Cell from the plumbing by loosening the threaded collars on both ends of the Cell. Disconnect the Cell Cord from the control panel.
- Inspect the O-Rings on the plumbing unions. If damaged or worn, replace before installing the new Cell.
- Position the new BLT series Replacement Cell between the plumbing unions. Tighten the two threaded collars by hand for a water-tight seal, do not over-tighten. Plug the Cell Cord into the control panel.
- Once power is restored to the control panel (concurrently with the pump and filter), the system can now be operated as instructed in the original manufacturer's product manual.

### **Sale terms**

**TERMS OF SALE:** If, after receiving this item you discover that it was not the one you wanted, simply return it for a full refund within 30 days. You will have to pay for the return shipping charges. Refund is void if you have installed, used or damaged the item in any way. Item must be returned with its original box, packing materials and instructions (if applicable) in the same perfect brand new condition. Cleared Payment via PayPal must be received within 3 days of transaction and prior to shipping.

### **Maintenance**

The BLT series Replacement Cell operates in the same way as your original Cell. As with your prior system, it may occasionally be necessary to remove the mineral deposits which can form inside. Cleaning frequency is entirely dependent on your pool's water chemistry, which depending on environment and chemicals added, can change to become more or less scale forming. Follow the cleaning instructions in the original manufacturer's product manual.

### **Warranty**

**BLT series Replacement Cells** carry the following Limited Warranty should failure occur due to faulty manufacture or materials, during normal use and service. For residential use, we warrants to the original purchaser that the equipment shall be free of manufacturer's defects at the time of sale, and upon examination shall provide replacement parts in accordance with the following schedule:

5 Year Warranty - 2 Full+3 Pro-rate

BlueWorks conduct, as summarized above, is causing irreparable and ongoing harm to Hayward. BlueWorks' willful and continued use of the Hayward Marks with knowledge of Hayward's trademark rights constitutes violations of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a) *et seq.*, including trademark infringement, false designation of origin, false



advertising, counterfeiting, and unfair competition, as well as related violations of state and common law.

\* \* \* \*

### **HAYWARD'S DEMAND TO STOP INFRINGING**

Hayward has built a significant, worldwide reputation as the source of Hayward pool products and equipment and has earned the substantial good will that is associated with the Hayward brand. As a result of Hayward's long, continuous, and widespread promotion and sale in commerce of products bearing the Hayward Marks, these marks have achieved broad recognition among consumers and the trade as signifying high quality products originating exclusively from Hayward. Hayward views its trademarks and other intellectual property rights as important and valuable corporate assets. Indeed, the success of Hayward's products is due not only to their high quality, but also to the Hayward Marks, other Hayward trademarks, and name brand recognition.

BlueWorks' conduct is an example of bad faith, intentional, and willful infringement. Such bad faith and willfulness supports Hayward's entitlement to collect its attorneys' fees from BlueWorks, See 15 U.S.C. § 1117(a) (allowing attorney's fees in exceptional cases); *Oviedo Medical Center, LLC v. Adventis Health System/Sunbelt, Inc.*, 6:19-cv-1711-ORL-78EJK,(M.D. Fla. March 26, 2020) (noting that, for purposes of trademark infringement and unfair competition, courts may consider a defendant's intent to redirect consumers to an different website from the trademark's owner's site).

Hayward is prepared to take legal action but first prefers to resolve this matter out of court. Hayward is prepared to resolve this matter if BlueWorks: (1) abandons and ceases any and all advertising and promotion of its products that use the HAYWARD marks; (2) stops selling the infringing and unauthorized products; (3) removes any statement or representation that falsely designates or describes the BlueWorks' salt cells as authorized, certified, or sponsored by, or associated with, Hayward or that is likely to confuse consumers as to the source, affiliation, or sponsorship of such salt cells; (4) notifies all customers that these products are in no way related, comparable, or compatible to any HAYWARD product; (5); issues a recall notice to all purchasers of the BlueWorks' salt cell that advertise with the

Hayward Marks in the United States and offering a full refund to any customers who purchased the cells; (6) compensates Hayward for past infringement; and (7) pays Hayward's attorneys' fees to date. We fully expect reimbursement for damages suffered by Hayward as a result of BlueWorks' infringement. See *Chanel, Inc. v. Gordashevsky*, 558 F. Supp. 2d 532, 540 (D.N.J. 2008) (Plaintiff brought action against defendant for various violations under the Lanham Act. Court granted plaintiff \$2,248,624.00 in statutory damages, attorney's fees in the amount of \$15,257.00, investigative fees in the amount of \$6,175.00 and \$325.00 in costs and enjoined defendants for further violations of plaintiff's trademark rights).

Please note that we have also contacted Amazon and have initiated Amazon's formal "take-down" procedure to remove these ads. But we request that you remove such ads from any websites, social media, and any other sales or marketing platforms.

Hayward views BlueWorks' actions with grave concern, not the least of which are the violations of the Lanham Act by BlueWorks' use of the Hayward Marks. Please contact us about this matter by close of business, **Friday, May 22, 2020**, and provide us with written assurance that BlueWorks, as well as any related entity and individuals in the chain of distribution of these products, will agree to the above terms. If we do not receive these written assurances, we will be forced to assume that BlueWorks has decided to continue with its present course of conduct, and we will thus take appropriate action. Please do not contact Hayward directly.

This letter is sent without prejudice and is not intended as a complete statement of the facts or law as they pertain to this matter. Hayward reserves all rights and remedies.

Sincerely,



Erik Paul Belt

cc. Steve Halpern, Hayward  
Anne E. Shannon, Esq.



# **EXHIBIT A**



# United States of America

United States Patent and Trademark Office

## HAYWARD

**Reg. No. 3,969,301**

**Registered May 31, 2011**

**Int. Cls.: 7, 9 and 11**

**TRADEMARK**

**PRINCIPAL REGISTER**

HAYWARD INDUSTRIES, INC. (NEW JERSEY CORPORATION)  
620 DIVISION STREET  
ELIZABETH, NJ 07207

FOR: PUMPS, PARTS AND FITTINGS THEREFOR FOR USE IN SWIMMING POOLS, SPAS, HOT TUBS, WHIRLPOOLS, AND OTHER RECREATIONAL BODIES OF WATER; AUTOMATIC SWIMMING POOL CLEANERS; UNDERWATER SWIMMING POOL CLEANING MACHINES FOR CLEANING THE SURFACE OF A SWIMMING POOL; SUCTION OUTLETS FOR REMOVING WATER FROM SWIMMING POOLS, SPAS, HOT TUBS, WHIRLPOOLS, AND OTHER RECREATIONAL BODIES OF WATER, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 6-0-1956; IN COMMERCE 6-0-1956.

FOR: ELECTRONIC CONTROLS FOR USE IN SWIMMING POOLS, SPAS, HOT TUBS, WHIRLPOOLS, AND OTHER RECREATIONAL BODIES OF WATER; AUTOMATED WATER CHEMISTRY CONTROLLERS; REMOTE CONTROL UNITS, INCLUDING WIRELESS CONTROLS ACCESSIBLE VIA GLOBAL AND LOCAL COMPUTER NETWORKS, FOR CONTROLLING WATER MANAGEMENT AND TREATMENT SYSTEMS CONSISTING OF TIMERS, CHLORINATORS, HEATERS, PUMPS, AND ACTUATORS OF SWIMMING POOLS, SPAS, HOT TUBS, WHIRLPOOLS, WATER FEATURES AND OTHER RECREATIONAL BODIES OF WATER; MULTI-PURPOSE CONTROLLERS FOR SWIMMING POOLS, SPAS, HOT TUBS, WHIRLPOOLS, WATER FEATURES, AND OTHER RECREATIONAL BODIES OF WATER FOR AUTOMATICALLY CONTROLLING WATER CHLORINATION, FILTER PUMP TIMING, TEMPERATURES, ACTUATORS, AND WATER MANAGEMENT AND TREATMENT SYSTEMS; ELECTRONIC CONTROL PANEL WITH DIGITAL DISPLAYS FOR THE COMPLETE MONITORING AND AUTOMATION OF FILTRATION, PURIFICATION, AND SOLAR HEATING SYSTEMS OF SWIMMING POOLS, SPAS, HOT TUBS, WHIRLPOOLS, AND OTHER RECREATIONAL BODIES OF WATER; ELECTRONIC CONTROLLERS FOR SOLAR HEATING SYSTEM FOR SWIMMING POOLS AND SPAS, INCLUDING SOLAR POWERED ELECTRONIC CONTROLLERS FOR CONTROLLING THE TEMPERATURE OF SWIMMING POOLS AND SPAS; AUTOMATIC TIMERS FOR CONTROLLING OPERATION OF FILTERS FOR SWIMMING POOLS AND SPAS; REMOTE CONTROL UNITS, INCLUDING WIRELESS AND WIRED CONTROLS FOR CONTROLLING COMPONENTS OF SWIMMING POOLS, SPAS, HOT TUBS, WHIRLPOOLS, WATER FEATURES, AND OTHER RECREATIONAL BODIES OF WATER; ELECTRIC VALVE ACTUATORS; ELECTRONIC CONTROL SYSTEMS COMPRISED OF AN ELECTROLYTIC CHLORINE GENERATOR AND MULTI-PURPOSE CONTROLLER FOR CONTROLLING THE OPERATION, SANITIZATION AND MAINTENANCE OF SWIMMING POOLS, SPAS AND OTHER RECREATIONAL BODIES OF WATER, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).



*David J. Kappas*

Director of the United States Patent and Trademark Office

FIRST USE 11-0-1996; IN COMMERCE 11-0-1996.

FOR: FILTERS AND PARTS AND FITTINGS THEREFOR, HEATERS AND PARTS AND FITTINGS THEREFOR, SALT AND CHLORINE GENERATORS AND PARTS AND FITTINGS

**Reg. No. 3,969,301** THEREFOR, LIGHTS AND VALVES AND PARTS AND FITTINGS THEREFOR; ALL FOR USE IN SWIMMING POOLS, SPAS, HOT TUBS, WHIRLPOOLS, AND OTHER RECREATIONAL BODIES OF WATER, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 6-0-1956; IN COMMERCE 6-0-1956.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,058,211, 3,469,508 AND OTHERS.

SER. NO. 85-070,946, FILED 6-24-2010.

BARNEY CHARLON, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## AQUA RITE

**Reg. No. 3,704,835** HAYWARD INDUSTRIES, INC. (NEW JERSEY CORPORATION)  
Registered Nov. 3, 2009 620 DIVISION STREET  
ELIZABETH, NJ 07207

**Int. Cl.: 11** FOR: ELECTROLYTIC CHLORINE GENERATOR FOR USE WITH SWIMMING POOLS AND SPAS FOR WATER PURIFICATION, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

**TRADEMARK** FIRST USE 2-5-1997; IN COMMERCE 2-5-1997.  
**PRINCIPAL REGISTER**

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,199,560.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AQUA", APART FROM THE MARK AS SHOWN.

SER. NO. 77-700,176, FILED 3-26-2009.

ZACHARY BELLO, EXAMINING ATTORNEY



*David J. Kypos*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## GOLDLINE

**Reg. No. 5,726,797**

**Registered Apr. 16, 2019**

**Int. Cl.: 9, 11**

**Trademark**

**Principal Register**

Hayward Industries, Inc. (NEW JERSEY CORPORATION)  
620 Division Street  
Elizabeth, NEW JERSEY 07207

CLASS 9: Electronic controls for use in swimming pools, spas, hot tubs, whirlpools, and other recreational bodies of water

FIRST USE 12-31-2000; IN COMMERCE 12-31-2000

CLASS 11: Salt and chlorine generators for use in swimming pools, spas, hot tubs, whirlpools, and other recreational bodies of water

FIRST USE 9-1-2004; IN COMMERCE 9-1-2004

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 3455440, 1600619

SER. NO. 88-094,043, FILED 08-27-2018



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

**Int. Cl.: 11**

**Prior U.S. Cls.: 13, 21, 23, 31 and 34**

**Reg. No. 3,156,434**

**United States Patent and Trademark Office**

**Registered Oct. 17, 2006**

**TRADEMARK  
PRINCIPAL REGISTER**

**TURBO CELL**

HAYWARD INDUSTRIES, INC. (NEW JERSEY  
CORPORATION)  
620 DIVISION STREET  
ELIZABETH, NJ 07207

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "CELL", APART FROM THE MARK  
AS SHOWN.

FOR: ELECTROLYTIC CHLORINE GENERA-  
TORS FOR USE WITH SWIMMING POOLS AND  
SPAS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

SEC. 2(F).

FIRST USE 2-0-1999; IN COMMERCE 2-0-1999.

SER. NO. 78-574,210, FILED 2-24-2005.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

CHARLES L. JENKINS, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## SWIMPURE

**Reg. No. 5,932,470**

**Registered Dec. 10, 2019**

**Int. Cl.: 11**

**Trademark**

**Principal Register**

Hayward Industries, Inc. (NEW JERSEY CORPORATION)  
620 Division Street  
Elizabeth, NEW JERSEY 07207

CLASS 11: Electronic chlorine generators and parts and fittings therefor that produce chlorine from salt for use in swimming pools, spas, hot tubs, whirlpools, and other recreational bodies of water

FIRST USE 1-1-2006; IN COMMERCE 1-1-2006

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 3280886, 3280894

SER. NO. 87-449,312, FILED 05-15-2017



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office



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# T-CELL-3

<b>Word Mark</b>	T-CELL-3
<b>Goods and Services</b>	IC 011. US 013 021 023 031 034. G & S: Electrolytic chlorine generators for use with swimming pools and spas. FIRST USE: 20091231. FIRST USE IN COMMERCE: 20091231
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	88705817
<b>Filing Date</b>	November 25, 2019
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	April 7, 2020
<b>Owner</b>	(APPLICANT) Hayward Industries, Inc. CORPORATION NEW JERSEY 400 Connell Drive, Suite 6100 Berkeley Heights NEW JERSEY 07922
<b>Attorney of Record</b>	Michael R. Friscia
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# T-CELL-9

<b>Word Mark</b>	T-CELL-9
<b>Goods and Services</b>	IC 011. US 013 021 023 031 034. G & S: Electrolytic chlorine generators for use with swimming pools and spas. FIRST USE: 20091231. FIRST USE IN COMMERCE: 20091231
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	<b>88705864</b>
<b>Filing Date</b>	November 25, 2019
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	April 7, 2020
<b>Owner</b>	(APPLICANT) Hayward Industries, Inc. CORPORATION NEW JERSEY 400 Connell Drive, Suite 6100 Berkeley Heights NEW JERSEY 07922
<b>Attorney of Record</b>	Michael R. Friscia
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# T-CELL-15

<b>Word Mark</b>	T-CELL-15
<b>Goods and Services</b>	IC 011. US 013 021 023 031 034. G & S: Electrolytic chlorine generators for use with swimming pools and spas. FIRST USE: 20091231. FIRST USE IN COMMERCE: 20091231
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	88705891
<b>Filing Date</b>	November 25, 2019
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	April 7, 2020
<b>Owner</b>	(APPLICANT) Hayward Industries, Inc. CORPORATION NEW JERSEY 400 Connell Drive, Suite 6100 Berkeley Heights NEW JERSEY 07922
<b>Attorney of Record</b>	Michael R. Friscia
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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ORIGIN ID: LWMA (617) 449-6500 ANNE E. SHANNON MCCARTER & ENGELSH LLP 265 FRANKLIN STREET BOSTON, MA 02110 UNITED STATES US		SHIP DATE: 12MAY20 ACTWGT: 1.00 LB CAD: 250191448WMSX13400
TO HAOQI SUN BLUEWORKS CORPORATION 303 ALBEMARLE ST LEXINGTON NC 27292 (617) 449-6632 NV PO. DEPT.		BILL SENDER
REF: 099999 00900 05948		
56B.J3/2925/FE4A		

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<b>ORIGIN:</b> D1WMA (617) 449-6500 <b>ANNE E. SHANNON</b> <b>MCCARTER &amp; ENGLISH LLP</b> <b>265 FRANKLIN STREET</b> <b>BOSTON, MA 02110</b> <b>UNITED STATES US</b>		<b>SHIP DATE:</b> 12MAY20 <b>ACTWGT:</b> 1.00 LB <b>CAD:</b> 250191448WSX3400
<b>TO:</b> <b>HAOQI SUN</b> <b>BLUENWORKS CORPORATION</b> <b>12245 NATIONS FORD ROAD</b> <b>SUITE 501</b> <b>PINEVILLE NC 28134</b> <b>(617) 449-8632</b> <b>INVT:</b> REF: 099999 00900 05848 <b>PO:</b> DEPT:		<b>BILL SENDER</b>

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